

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:15-cv-00214-FDW-DSC

PGI POLYMER, INC.,)
Plaintiff/Counterclaim Defendant,)
v.) ORDER ON FILING OF
CHURCH & DWIGHT CO., INC., *et al.*,) DEFENDANTS' AMENDED
Defendants/Counterclaimants.) COUNTERCLAIMS

THIS MATTER is before the Court *sua sponte* regarding Defendants' Amended Counterclaims filed on October 8, 2015. (Doc. No. 57). Because the period in which Defendants were permitted to amend the Counterclaims as a matter of course under Rule 15(a)(1) had passed, Defendants were required to comply with the requirements of Rule 15(a)(2) to amend their Counterclaims by either obtaining permission from Plaintiff or leave of the Court. Fed. R. Civ. P. 15. Nothing in the record indicates that Defendants either have obtained permission from Plaintiff or moved for leave of the Court to amend the Counterclaims. As such, Defendants' filing of their Amended Counterclaims violated Fed. R. Civ. P. 15.

IT IS THEREFORE ORDERED that the Amended Counterclaims filed by Defendants on October 8, 2015, (Doc. No. 57), are hereby STRICKEN as improper.

IT IS SO ORDERED.



Frank D. Whitney
Chief United States District Judge
